

GABON 2022 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Gabon is a republic with a presidential form of government dominated by the Gabonese Democratic Party and headed by President Ali Bongo Ondimba, whose family has held power since 1967. Bongo Ondimba has been president since 2009 and was declared winner of the 2016 presidential election. Observers noted numerous irregularities in 2016, including a questionable vote count in Bongo Ondimba's home province. The government forcibly dispersed violent demonstrations that followed the 2016 election. In the peaceful 2018 legislative elections, the Gabonese Democratic Party won 100 of 143 National Assembly seats. The African Union observer mission did not comment on whether the elections were free and fair but noted some irregularities. Some opposition parties boycotted the elections; however, fewer did so than in the 2011 legislative elections.

The National Police Forces, under the Ministry of Interior, and the National Gendarmerie, under the Ministry of Defense, are responsible for law enforcement and public security. Elements of the armed forces and the Republican Guard, an elite unit that protects the president under his direct authority, sometimes performed internal security functions. Civilian authorities generally maintained effective control over security forces. There were reports that members of the security forces committed some abuses.

Significant human rights issues included credible reports of: torture and cases of cruel, inhuman, or degrading treatment by the government; harsh and life-threatening prison conditions; serious problems with the independence of the judiciary; political prisoners or detainees; arbitrary or unlawful interference with privacy; serious restrictions on free expression and media due to censorship and the enforcement of criminal libel laws to limit expression; inability of citizens to change their government peacefully through free and fair elections; serious government corruption; and existence of the worst forms of child labor.

The government took some steps to identify, investigate, and prosecute officials

and punish those convicted of human rights abuses or engaged in corruption; however, impunity remained a problem. The government made significant anticorruption efforts to reduce cases of security forces harassing or extorting refugees and noncitizen Africans. The government made strides to address violence against women, however societal barriers continued to hinder women from reporting cases to authorities.

Section 1. Respect for the Integrity of the Person

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There were no reports during the year the government or its agents committed an unlawful killing. The Judicial Police, under the Ministry of Justice, are responsible for investigating any abuses or unlawful acts by government security forces. Police sources stated they had opened an investigation into the killings in February 2021, when during protests against COVID-19 restrictions, reports indicated Libreville security forces shot and killed two men. As of year's end, authorities had taken no concrete actions to address the killings.

According to a local nongovernmental organization (NGO), an individual accused of drug trafficking inside the Libreville Central Prison was tortured and beaten with an electric cable. He died in October 2021. Prison authorities denied the allegations and government authorities did not open an investigation.

b. Disappearance

There were no reports of disappearances by or on behalf of government authorities.

In 2017 the government reported to the UN Committee on Enforced Disappearances that, despite opposition allegations of disappearances, no official complaints were filed after the 2016 elections. The government's National Committee of Human Rights opened an inquiry in 2020 and released the report in June.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or

Punishment, and Other Related Abuses.

The constitution prohibits such practices. There were reports of torture in prisons where unidentified personnel employed torture, including the death of one individual in October 2021 (see section 1.a.). Several high-profile prisoners were kept in solitary confinement for extended periods.

Impunity was a widespread problem in the security forces, with corruption stemming from low wages being the largest contributor. Nevertheless, the government took some steps to identify, investigate, and prosecute officials and punish human rights abusers. Authorities operated a national hotline to report abuses by security force members.

Prison and Detention Center Conditions

Prison conditions were harsh and potentially life threatening due to low-quality food, inadequate sanitation, lack of ventilation, gross overcrowding, and limited medical care. Conditions in jails and detention centers mirrored those in prisons.

Abusive Physical Conditions: Libreville's central prison was severely overcrowded; it was built to hold 500 inmates but held approximately 4,000. There were also reports of overcrowding in other prisons.

Some prisoners and detainees were kept in solitary confinement for several months without access to exercise or use of showers and other sanitary facilities.

In some cases, authorities held pretrial detainees with convicted prisoners, juveniles with adults, and men with women. Authorities separated juvenile prisoners from adults in Libreville and Franceville prisons. There were separate holding areas within prisons for men and women, but access to each area was not fully secured or restricted. There were no specific accommodations for persons with disabilities in prisons. Prisoners had only limited access to food, lighting, sanitation, potable water, and exercise areas. On-site nurses were available to provide basic medical care, but prison clinics often lacked sufficient medication. For serious illnesses or injury, authorities transferred prisoners to public hospitals. Management of the spread of infectious diseases, such as HIV or tuberculosis, was inadequate.

Authorities did not provide data on the number of deaths in prisons, jails, and pretrial detention or other detention centers attributed to physical conditions or actions of staff members or other authorities. The NGO SOS Prisonniers reported there were two deaths at the Libreville Central Prison during the year – one for an illness and one from a fight between prisoners. Investigations into both deaths were ongoing.

Administration: There was no prison ombudsperson or comparable independent authority available to respond to prisoner complaints. Prisoners filed few complaints. Observers believed the low incidence of complaints was due to ignorance of, or lack of faith in, the process, or fear of retribution.

Independent Monitoring: The government permitted human rights organizations to conduct independent monitoring of prison conditions, as well as access to centers for detained migrants and asylum seekers to provide social assistance. Except for COVID-19 limitations, representatives of several NGOs, including Malachie, the Sylvia Bongo Foundation, and the Voice of the Forgotten, visited prisons.

Improvements: In April authorities built a new 106-cell facility at the Libreville Central Prison for women to reduce overcrowding.

d. Arbitrary Arrest or Detention

The constitution and law prohibit arbitrary arrest and detention and provide for detainees or persons arrested to challenge the lawfulness and arbitrary nature of their detention in court. The law also provides for compensation if a court rules detention unlawful. The government, however, did not always respect these provisions.

Arrest Procedures and Treatment of Detainees

Although the law requires arrest warrants based on sufficient evidence and issued by a duly authorized official to make arrests, security forces in some cases disregarded these provisions. The law allows authorities to detain a suspect up to 48 hours without charge, after which it requires the suspect be charged before a judge. Police often failed to respect this time limit.

Once a person is charged, the law provides for conditional release if further investigation is required. There was a functioning bail system. Detainees did not always have prompt access to family members and a lawyer of their choice. The law requires the government to provide indigent detainees with lawyers, but this was not always possible, often because the government could not find lawyers willing to accept the terms of payment offered for taking such cases. Arrests required warrants issued by a judge or prosecutor based on evidence.

Arbitrary Arrest: In August 2020, agents from the General Directorate for Investigation of the National Gendarmerie arrested the Dynamique Unitaire Trade Union Confederation leader Jean Bosco Bounoumou without a warrant. Accused of broadcasting a video jeopardizing public order, he was detained without charge for longer than the law allows and not permitted prompt access to a lawyer. Later in August 2020, prosecutors charged him with terrorism and conspiracy. According to the trade union, during the year Bounoumou was released without trial.

Pretrial Detention: Approximately two-thirds of prison inmates were held in pretrial detention that sometimes lasted up to three years. There were instances in which the length of pretrial detention exceeded the maximum sentence for the alleged crime. Prolonged pretrial detention was common due to overburdened dockets and an inefficient judicial system. The law limits pretrial detention to six months on a misdemeanor charge and one year on a felony charge, with six-month extensions if authorized by the examining magistrate. The law provides for a commission to deal with cases of abusive or excessive detention and provides for compensation to victims, but the government had yet to establish such a commission. Detainees generally lacked knowledge of their rights and the proper procedure to submit complaints and may not have submitted complaints due to fear of retribution.

e. Denial of Fair Public Trial

The law provides for an independent judiciary, but the judiciary demonstrated only partial independence and only in some cases. The NGO Freedom House alleged the executive branch exercised firm control over the judiciary. The judiciary was inefficient. The president appoints and may dismiss judges through the Ministry of

Justice, to which the judiciary is accountable. Corruption was a problem. For example, individuals charged with offenses reportedly paid bribes to influence the judicial process, avoid facing trial, or both.

Authorities generally respected court orders.

Trial Procedures

The constitution provides for the right to a fair and public trial and to legal counsel, and the judiciary generally respected these rights. Trial dates were often delayed.

Indigent defendants in both civil and criminal cases have the right to have an attorney provided at state expense, but the government often failed to provide attorneys because private attorneys refused to accept the terms of payment the government offered for such cases. Defendants have the right to free interpretation as necessary from the moment charged through all appeals when staff members with the required language skills are available, but interpreters were not always available.

Political Prisoners and Detainees

In August 2021, the minister of justice stated there were no political prisoners in the country, however, one civil society group classified some individuals as political prisoners. An estimated 60 protesters were detained in 2017, including opposition leader Pascal Oyougou, who spent 41 months in pretrial detention and was released temporarily in February 2021 through the end of his trial. In June 2021, he was sentenced to five years in prison for association with an insurrectional movement and participation in an unauthorized public demonstration. According to multiple domestic and international news reports, former Gabonese Democratic Party (PDG) deputy Bertrand Zibi Abeghe was arrested following violence after the 2016 presidential elections as a political reprisal. In 2019 Zibi was convicted of inciting violence and possession of a firearm and sentenced to six years' imprisonment. He was released on September 13. Many observers considered the charges and conviction politically directed and the evidence fabricated.

Routine consular and NGO visits were permitted to political prisoners.

Civil Judicial Procedures and Remedies

Persons or organizations may seek civil remedies for human rights abuses through domestic courts or through administrative or other mechanisms established by law, although this seldom occurred.

f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

Although the constitution and law prohibit such actions, the government did not always respect these prohibitions. As part of criminal investigations, police requested and easily obtained search warrants from judges, sometimes after the fact. Security forces conducted warrantless searches for irregular immigrants and criminal suspects. Authorities reportedly monitored private telephone conversations, personal mail, and the movement of citizens.

g. Conflict-related Abuses

The United Nations in September 2021 ordered the withdrawal of the country's 450-strong peacekeeping contingent from the UN Multidimensional Integrated Stabilization Mission in the Central African Republic due to sexual abuse allegations. The United Nations stated it had received 33 allegations of sexual abuse or sexual exploitation against troops from the country, which were part of an international peacekeeping force numbering thousands in the Central African Republic (CAR). The country's authorities opened an investigation following the UN decision to withdraw the country's contingent.

At year's end, 10 investigations into allegations from the peacekeeping mission in the CAR involving at least 90 of the country's troops were pending. The United Nations did not release an official final report on the cases to the *Conduct in UN Field Missions* online portal, while authorities disputed the fairness of the allegations. The reporting in the online portal may not represent the full scale and scope of the country's peacekeeper abuses in the CAR.

Section 2. Respect for Civil Liberties

a. Freedom of Expression, Including for Members of the Press and

Other Media

The constitution and law provide for freedom of expression, including for members of the press and other media, and the government generally respected this right. According to the law, conviction of contempt of the president or of any government official “committed anywhere, on any occasion, or by any means,” is punishable by six months’ to five years’ imprisonment and fines.

Violence and Harassment: There were no cases of journalists being harassed or intimidated, although some journalists reported they received anonymous instructions or calls from persons suspected of being connected with the government not to report on certain matters.

Censorship or Content Restrictions for Members of the Press and Other Media, Including Online Media: Independent media were active, although authorities occasionally used libel and slander laws to restrict media criticism of the government. The country’s sole daily newspaper, *L’Union*, was progovernment. All newspapers and broadcast media, including government-affiliated ones, criticized the government, as well as political leaders of both opposition and progovernment parties. Most newspaper owners had either a progovernment or a pro-opposition political bias. NGOs such as Reporters Without Borders asserted that arbitrary media suspensions by the High Authority for Communication increased in recent years. For example, Reporters Without Borders reported that the online newspaper *7jours infos* was suspended for one month in January for an article questioning the president’s ability to manage the country.

Libel/Slander Laws: Libel and slander may be treated as either criminal or civil offenses. Editors and authors of articles ruled libelous in a court of law may be imprisoned for six months to five years and required to pay substantial fines. Penalties for conviction of libel, disrupting public order, and other offenses also include a one- to three-month publishing suspension for a first offense and three- to six-month suspension for repeat offenses. In January authorities suspended publication of the weekly newspaper *The Mbanja* for defamation due to publishing accusations a mayor committed embezzlement, which the government stated was false. Another weekly newspaper, *The Cigale Enchantee*, was also suspended in

January for hate speech when it published an article accusing “the Arab community” of controlling the country.

Internet Freedom

The government did not restrict or disrupt access to the internet or censor online content, and there were no credible reports the government monitored private online communications without appropriate legal authority.

b. Freedoms of Peaceful Assembly and Association

The constitution provides for the freedoms of peaceful assembly and association and the government generally respected the right to freely associate. The government historically limited freedom of peaceful assembly for some groups and associations by creating bureaucratic hurdles and failing to issue permits in a timely manner.

Freedom of Peaceful Assembly

Some civil society activists stated they did not submit requests to hold public meetings because they expected the government would deny them. There were no reports, however, from activist or civil society groups of permits being denied during the year. Opposition political parties reported holding political rallies and events during the year and did not report restrictions on their ability to peacefully assemble. In March the government lifted all COVID-19 restrictions including meeting restrictions.

c. Freedom of Religion

See the Department of State’s *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

d. Freedom of Movement and the Right to Leave the Country

The constitution and law provide for freedom of internal movement, foreign travel, emigration, and repatriation. Nevertheless, the government did not always respect these rights.

In-country Movement: Although there were no legal restrictions on freedom of internal movement, military and police personnel and gendarmes stopped travelers at checkpoints to check identity, residence, or registration documents and on some occasions to solicit bribes. Refugees required a travel document endorsed by the Office of the UN High Commissioner for Refugees (UNHCR) and government authorities to circulate freely within the country.

Foreign Travel: Refugees and most holders of a residence permit need an exit visa to leave from and return to the country. During the year the government streamlined exit visa procedures to facilitate departures.

In February the government prevented union leader Jean Remy Yama from leaving the country at the airport and placed him under arrest, despite not having a warrant. Yama was only presented with charges and a warrant after being held in detention. Yama remained in detention and faced charges of breach of trust and embezzlement.

e. Protection of Refugees

The government cooperated with UNHCR and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, or asylum seekers, as well as other persons of concern.

Access to Asylum: The law provides for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees.

Abuse of Migrants and Refugees: The government and UNHCR made significant efforts to reduce cases of refugee harassment and extortion by security forces. UNHCR reported refugee complaints reduced significantly, with discrimination increasingly rare.

Freedom of Movement: (See section 2.d., In-country Movement.)

Access to Basic Services: The law provides refugees equal access to public services. During the year, the government made significant efforts to help refugees register and receive services from the National Health Insurance and Social Welfare.

Durable Solutions: The nationality code allows refugees to apply for naturalization; however, the process was long and expensive. At age 18, children born in the country of refugee parents may apply for citizenship.

Section 3. Freedom to Participate in the Political Process

The constitution and law provide citizens the ability to choose their government in free and fair periodic elections held by secret ballot and based on universal and equal suffrage; however, international monitors of the 2016 presidential election observed anomalies. The governing party has dominated all levels of government for five decades.

Elections and Political Participation

Recent Elections: Legislative elections were held in late 2018. Both rounds of legislative elections were calm, with a voter turnout of 43 percent in the first round and individual runoff elections in the second round. President Ali Bongo Ondimba's PDG won 100 of 143 National Assembly seats. Opposition leaders alleged irregularities such as ballot box stuffing, vote buying, polling stations opening without the presence of opposition representatives, and unfair treatment of the opposition by the Gabonese Elections Center. Domestic and international organizations were not authorized to observe the elections. A limited African Union observer mission did not comment on whether the elections were free and fair but noted some irregularities. During the 2016 presidential election, observers noted numerous irregularities after President Bongo Ondimba was declared the winner. The most notable irregularity was the official vote count in Bongo Ondimba's home province, where results were released several days after other provinces, showing voter turnout of more than 99 percent, of whom more than 95 percent voted for Bongo Ondimba. In an election with a nationwide voter turnout of 54 percent and a margin of victory of just more than 5,000 votes, the alleged results sparked widespread protests and violence.

Political Parties and Political Participation: The PDG has dominated the government since former president Omar Bongo created the party in 1968. PDG membership conferred advantages in obtaining government positions. Opposition party members complained voter districts were unfairly drawn, alleging the

president's home province received disproportionately more parliamentary seats than other provinces. They also stated the PDG had greater access to government resources for campaign purposes than did other parties.

Unlike in prior years, there were no reports during the year of restrictions on forming political parties.

Participation of Women and Members of Minority Groups: No laws limit participation of women and members of minorities in the political process, and they did participate. Cultural and traditional factors, as well as social stigma, prevented women and historically marginalized groups such as persons with disabilities and lesbian, gay, bisexual, transgender, queer, and intersex (LGBTQI+) persons from participating equally in political life.

Although members of all major ethnic groups occupied prominent government civilian and security force positions, members of indigenous populations rarely participated in the political process (see section 6, Indigenous Peoples).

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for corruption by officials, and the government generally implemented the law effectively. There were numerous reports of government corruption during the year.

The government implemented a large-scale anticorruption campaign to end extortion within the security forces through the Ministry for the Promotion of Good Governance and the Fight Against Corruption. Reports from media outlets and UNHCR indicated the campaign was widely successful and reported instances of extortion by security forces of refugees and noncitizen Africans declined significantly.

Corruption: Some police were inefficient and corrupt. There were reports of police, gendarmes, and military members seeking bribes to supplement their salaries, often while stopping vehicles at legal roadblocks to check vehicle registration and identity documents.

Former minister of transport and member of parliament Justin Ndoundangoye was arrested in 2019 on corruption charges. In December 2021, he was sentenced to five years in prison.

On July 26, former presidency spokesperson Ike Ngouoni was sentenced to eight years in prison with a five-billion CFA francs (\$8.13 million) fine for embezzlement and money laundering.

Section 5. Governmental Posture Toward International and Nongovernmental Investigation of Alleged Abuses of Human Rights

A few domestic human rights groups operated, albeit with government restrictions, investigating and publishing their findings on human rights cases. Several human rights NGOs reported governmental intimidation and a general lack of responsiveness to their views.

Government Human Rights Bodies: The Ministry of Justice oversees the Human Rights and Gender Equality portfolio and coordinates government efforts to improve respect for human rights, organize human rights training for government officials, and address major human rights problems. The National Human Rights Commission, composed of representatives from civil society, media, religious groups, and the judiciary, had a degree of independence.

In September commission members provided training on the electoral process for civil society and government members. Additionally, the commission opened two field offices in the Haut-Ogooue and Woleu Ntem Provinces, expanding beyond Libreville for the first time.

Section 6. Discrimination and Societal Abuses

Women

Rape and Domestic Violence: The law criminalizes rape for both men and women; convicted rapists face penalties of 10 to 20 years' imprisonment and a fine. Nevertheless, authorities seldom prosecuted rape cases, largely due to

victims underreporting or being unwilling to testify. The law addresses spousal and intimate partner rape regardless of gender. The government made strides to address violence against women; however societal barriers continued to hinder women from reporting cases to authorities. There were no reliable statistics on the prevalence of rape, but a women's advocacy NGO estimated it to be a frequent occurrence. Discussing rape remained taboo, and survivors often opted not to report it due to shame or fear of reprisal.

In January 2021, an agent of the Republican Guard raped a girl age 15 in Libreville. The Army Disciplinary Council heard his case and dismissed him from the army. He received no further sanctions. The Sylvia Bongo Foundation, an independent organization managed by the first lady, during the year funded all medical and psychological care for the survivor.

Although the law prohibits domestic violence, NGOs reported it was common. Penalties for conviction range from two months' to 15 years' imprisonment, and the law was amended in September 2021 to provide harsher sanctions for domestic abuses and widows' spoliation. Women rarely filed complaints, due to shame or fear of reprisal, although the government operated a counseling group to provide support for abuse survivors. The government provided in-kind support to an NGO center to assist survivors of domestic violence, and through the center's work, police intervened in response to incidents of domestic violence. The government funded a toll-free national hotline to assist persons experiencing any kind of violence.

Sexual Harassment: NGOs reported sexual harassment of women continued to be pervasive. The law states sexual harassment "constitutes an offense against morals (and includes) any behavior, attitude or repeated assiduous or suggestive words, directly or indirectly attributable to a person who, abusing the authority or influence conferred on him by his functions or its social rank, aims to obtain sexual favors from an individual of one or the other sex." Conviction of sexual harassment is punishable by up to six months' imprisonment and a substantial monetary fine. In March a male teacher was exposed for sexually harassing a female high school student after a call between the two was recorded and posted on social media. The government reported the teacher was arrested, convicted, and sentenced to six months' imprisonment for sexual harassment. The case

underscored the pervasiveness of sexual harassment of female students by male teachers.

Reproductive Rights: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

The Ministry of Health and Social Affairs provided guidance on family-planning best practices to health facilities throughout the country. There were some social and cultural barriers to access family planning methods based on behavioral norms, religious beliefs, and an individual's sexual orientation. LGBTQI+ individuals reported facing some discrimination when seeking access to sexual and reproductive health services. Adolescents in rural areas also sometimes lacked access to family planning. While sexual and reproductive health services were available to survivors of sexual violence at government and private medical facilities, emergency contraception could only be purchased at local pharmacies. Local NGOs provided support to sexual violence survivors.

The World Health Organization estimated the maternal mortality rate in 2017 at 252 deaths per 100,000 live births. According to the *2012 Gabon Demographic and Health Survey*, girls and women ages 15 to 19 were among the most affected, representing 34 percent of maternal deaths. The main causes of maternal death were hemorrhages during childbirth, high blood pressure, and infections. Limited system wide access to prenatal care contributed to poor outcomes during pregnancy and delivery.

Discrimination: The law does not generally distinguish between the legal status and rights of women and men. The law provides for equal treatment regarding marital rights, property, nationality, and inheritance. In June the government launched the *He for She* campaign with the UN Entity for Gender Equality and the Empowerment of Women to promote gender equality and women's rights.

There were no reports of the government failing to enforce the law effectively. The government changed the law concerning shared marital assets, giving men and women equal rights to administer those assets. Previously, women always had to seek the permission of their husbands to administer jointly owned assets, while their husbands did not always have to get permission from their wives. No specific

law requires equal pay for equal work.

Systemic Racial or Ethnic Violence and Discrimination

There are no laws that specifically provide for the protection of members of racial or ethnic minorities or groups against violence and discrimination, since they have the same civil rights as other citizens. There were no reports during the year of racial or ethnic violence and discrimination.

Indigenous Peoples

The Babongo, Baghama, Baka, Bakoya, and Barimba ethnic groups are the earliest known inhabitants of the country. The law grants members of Indigenous ethnic groups the same civil rights as other citizens, but they experienced societal discrimination. Indigenous peoples made complaints regarding abuses related to natural resource extraction such as a gold mine in Bakoumba, where whole villages were relocated without their consent. Indigenous peoples were relocated to less desirable areas and were negatively affected by pollution caused by mining and timber operations. There were no reports that authorities took action to address these complaints. They remained largely outside of formal authority, keeping their own ancestral and cultural traditions, independent communities, and local decision-making structures, and did not have ready access to public services.

Discrimination in employment also occurred. Indigenous persons had little recourse if mistreated by persons from the majority Bantu population, and there were no specific government programs or policies to assist them.

Children

Birth Registration: Citizenship is derived through one's parents and not by birth in the country. At least one parent must be a citizen to transmit citizenship.

Registration of all births is mandatory, and children without birth certificates may not attend school or participate in most government-sponsored programs. Many mothers could not obtain birth certificates for their children due to isolation in remote areas of the country or lack of awareness of the requirements of the law.

Education: Although education is compulsory to age 16 and tuition-free through completion of high school, it often was unavailable after sixth grade in rural areas.

There was no significant difference in the rates of enrollment between boys and girls; however, due to high rates of early pregnancy, girls were less likely to complete school than boys, although there were no reports that leaving school after pregnancy was due to legal, social, or cultural barriers.

Child Abuse: Child abuse is illegal, with penalties for conviction of up to life in prison, a substantial fine, or both. According to NGOs, child abuse occurred, including sexual abuse. NGOs reported during the year the government made significant improvements regarding the identification and prosecution of child abuse cases with the help of a toll-free hotline for child abuse in place since 2020.

Child, Early, and Forced Marriage: The minimum age for marriage is 15 for girls and 18 for boys. NGOs and the UN Population Fund agreed early marriages were more common among indigenous ethnic groups, who had significantly different lifestyles and societal norms.

Sexual Exploitation of Children: The age of consent is 15 for girls and 18 for boys. The law prohibits the commercial sexual exploitation of children and child pornography, and authorities generally enforced the law. Perpetrators convicted of child trafficking or a child pornography-related offense may be sentenced to between two- and five-years' imprisonment. Under the law, sex trafficking of a child is aggravated child trafficking, for which conviction is punishable by life imprisonment and substantial fines. Conviction of possession of child pornography is punishable by imprisonment of six months to one year and a substantial fine.

Antisemitism

The Jewish population was very small, and there were no reports of antisemitic acts.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Acts of Violence, Criminalization, and Other Abuses Based on

Sexual Orientation, Gender Identity or Expression, or Sex Characteristics

Criminalization: Consensual same-sex sexual conduct between adults is legal.

Violence against LGBTQI+ Persons: There were reports from civil society organizations and media of LGBTQI+ persons being verbally abused or assaulted. No officials were implicated in violence against LGBTQI+ persons. Such incidents were rarely reported to police, however.

Discrimination: There is no law that prohibits state or nonstate actors from discriminating based on sexual orientation, gender identity or expression, or sex characteristics, nor is there a law that recognizes LGBTQI+ individuals, couples, or their families. There are no specific antidiscrimination or hate crime laws or other criminal justice mechanisms designed to aid in the prosecution of bias-motivated crimes (see also section 6, Women, Reproductive Rights). Societal discrimination in employment and housing were problems, particularly for openly LGBTQI+ persons.

Availability of Legal Gender Recognition: Legal gender recognition is not available in the country.

Involuntary or Coercive Medical or Psychological Practices Specifically Targeting LGBTQI+ Individuals: The practice of so-called conversion therapy was not widespread. The Bwiti traditional society had a voluntary “therapeutic” procedure for homosexuality, which they viewed as a mental disorder that could be healed if the person wanted to. The procedure reportedly included eating a specific diet, bathing with infused plants, singing and dancing to specific music, and interacting only with the healer during the duration of the treatment.

Restrictions of Freedom of Expression, Association, or Peaceful Assembly: There were no restrictions on speaking out on LGBTQI+ topics. Some LGBTQI+ organizations, however, reported being unable to register legally or convene events in the past.

Persons with Disabilities

Persons with disabilities could not access education, health services, public buildings, and transportation on an equal basis with others, even though the law requires they have access to public transport and services, including health care and education, and public buildings, including voter access to election polling centers. Most public buildings, however, did not provide adequate access and accommodation for persons with disabilities, hindering their ability to obtain state services and take part in the judicial system. Enforcement of the rights of persons with disabilities to education, health care, and transportation was limited; there were no government programs to provide access to buildings, information, and communications for persons with disabilities. Children with disabilities generally attended school at all levels, including mainstream schools. There was accommodation for persons with disabilities in air travel but not for ground transportation.

The law prohibits discrimination against persons with “physical, mental, congenital, and accidental” disabilities. The law subsumes sensory disabilities under congenital and “accidental” disabilities but does not recognize the concept of intellectual disability. Persons with physical disabilities faced barriers in obtaining employment, such as gaining access to human resources offices to apply for jobs, because public buildings did not include features to facilitate access for persons with physical disabilities. The inaccessibility of buses and taxis complicated seeking jobs or getting to places of employment for those without their own means of transportation. There are no laws limiting persons with disabilities from participating in civic life, although government and private buildings often lacked accessibility for persons with disabilities which could prevent their participation.

Other Societal Violence or Discrimination

Local NGOs reported discrimination against persons with HIV and AIDS. Such persons encountered difficulties obtaining loans and finding employment in some sectors. NGOs worked closely with the Ministry of Health and Social Affairs to combat both the associated stigma and the spread of HIV.

Ritual killings were reported in which persons were killed and their limbs, genitals,

or other organs removed. The law criminalizes ritual killing and organ harvesting. During the year, authorities convicted and sentenced two individuals to a life sentence for ritual killing. The local NGO Association to Fight Ritual Crimes reported seven victims of ritual killings and 25 disappearances from January to September. It stated the actual number of victims was higher because many ritual killings were not reported or were incorrectly characterized. Additionally, authorities discouraged journalists from reporting ritual crimes, and most cases occurred in rural areas where media lacked access.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provides for the rights of workers to form and join independent unions and to bargain collectively. The law provides for the right to strike, with restrictions. Antiunion discrimination is illegal, and the law provides for the reinstatement of workers dismissed for union activities. Unions must register with the government to obtain official recognition, and the government routinely grants registration. Agreements negotiated by unions also applied to nonunion workers.

Strikes may be called only after eight days' advance notification and only after mandatory arbitration fails. Public-sector employees' right to strike could be restricted where the government determines it poses a threat to public safety. The law does not define the essential-services sectors in which strikes are prohibited; however, the armed services are prohibited from unionizing and striking. The law prohibits government action against strikers who abide by the notification and arbitration provisions and excludes no groups from this protection. There are no special laws or exemptions from general labor laws in the country's two export-processing zones.

The government generally enforced applicable laws. Resources to protect the right to form unions, bargain collectively, and strike were adequate. Penalties for violations of these rights are compensatory, determined on a case-by-case basis, and commensurate with those for other laws involving denials of civil rights. Administrative and judicial procedures were sometimes delayed. Penalties were sometimes applied against violators.

Freedom of association and the right to collective bargaining were not always respected. Some unions were politically active, and the government accused them of siding with opposition parties. The government sometimes restricted strikes.

Employers created and controlled some unions. Although antiunion discrimination is illegal, some trade unionists in both the public and private sectors complained of occasional discrimination, including the blacklisting of union members, unfair dismissals, and threats to workers who unionized. Trade union representatives complained they experienced hurdles accessing educational establishments during their efforts to represent and defend their members' interests. Labor union leaders reported that most labor violations stemmed from illegal dismissals, including of workers on strike, leaving them without social security and insurance benefits. An investigation was opened during the year concerning the June 2021 kidnapping and torturing of Mathurin Ovono Ebe, a prominent faculty member and president of the Omar Bongo University chapter of the National Union of Teachers and Researchers. The investigation was ongoing.

b. Prohibition of Forced or Compulsory Labor

The law prohibits and criminalizes human trafficking for the purposes of servitude or slavery. The government enforced the law to combat forced labor of children but did not effectively enforce the law in all sectors, particularly in the informal sector and with respect to foreign workers. Penalties reflected the serious nature of the offense.

Resources, inspections, and remediation were inadequate. The lack of sufficient vehicles, capacity, and personnel impeded the ability of labor inspectors to investigate allegations of forced labor. Additionally, labor inspectors found it difficult to access family-owned commercial farms and private households due to inadequate roads. The government did not provide training on trafficking in persons to law enforcement officers during the year.

Boys were subject to forced labor as mechanics, as well as in work in handicraft shops and sand quarries. Boys and men were subject to forced labor in agriculture, animal husbandry, fishing, and mining. Girls and women were exploited in domestic servitude, market vending, restaurants, and commercial sexual

exploitation. Conditions included very low pay and long hours. Migrants were especially vulnerable to forced labor, including children (see section 7.c.).

Limited reporting suggested that illegal and unregulated foreign fishing trawlers may have engaged in the forced labor of boys. Widespread poverty resulted in the increased risk of exploitation in the country, but the small scale of artisanal fishing suggested that forced labor was limited to foreign fishing operations. The industrial fishing fleet operating in the country's territorial waters was composed mostly of illegal, primarily Chinese, industrial-scale fish trawlers, with unknown status of workers on board.

See also the Department of State's *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

c. Prohibition of Child Labor and Minimum Age for Employment

See the Department of Labor's Findings on the Worst Forms of Child Labor at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings/>.

d. Discrimination with Respect to Employment and Occupation

The labor code prohibits discrimination with respect to employment and work conditions based on race, color, sex, religion, political opinion, disability, national origin or citizenship, or social background. It does not address discrimination based on sexual orientation, gender identity, age, or language. The government did not effectively enforce the law. No specific law requires equal pay for equal work, and women's wages were less than those of men for equivalent work.

Employment discrimination occurred with respect to indigenous persons, persons with disabilities, persons with HIV and AIDS, and LGBTQI+ persons. There were reports of labor exploitation of indigenous persons by their Bantu neighbors, who paid them much less than the minimum wage. Undocumented foreign workers frequently experienced wage discrimination and poor working conditions.

Penalties for violations were commensurate with penalties related to civil rights. Penalties were regularly applied against violators.

e. Acceptable Conditions of Work

Wage and Hour Laws: The government established a national monthly minimum wage that was above the official poverty line. Authorities did not enforce wage laws adequately, although workers could file suit if they received less than the minimum wage. Labor inspections were infrequent. Minimum wage laws were not enforced in the informal sector, which accounted for most workers.

The labor code stipulates a 40-hour workweek with a minimum rest period of 48 consecutive hours. The law also provides for paid annual holidays. Employers must compensate workers for overtime work as determined by collective agreements or government regulations. By law, the daily limit for compulsory overtime may be extended from 30 minutes to two hours to perform specified preparatory or complementary work, such as starting machines in a factory or supervising a workplace. It also may be extended for urgent work to prevent or repair damage from accidents. The daily limit does not apply to establishments in which work is continuous or to establishments providing retail, transport, dock work, hotel and catering services, housekeeping, security services, medical establishments, domestic work, and journalism. Employers generally respected minimum wage standards. Formal-sector employees could submit complaints regarding overtime, and the ministry's labor inspectors investigated such complaints. The government penalized violations with a range of fines that were commensurate with those for similar crimes.

Occupational Safety and Health: The Ministry of Health and Social Affairs establishes occupational safety and health (OSH) standards. Formal-sector employees could submit complaints regarding health and safety standards, and labor inspectors investigated such complaints.

The government did not provide data on industrial accidents.

Wage, Hour, and OSH Enforcement: The Ministry of Employment, Public Function and Labor is responsible for enforcing minimum wage, overtime standards, and safety and health standards in the formal sector. Inspectors have the authority to make unannounced inspections and recommend that sanctions be imposed. The government did not effectively enforce minimum wage, overtime,

and OSH laws, particularly in the informal sector. The number of labor inspectors was not sufficient to enforce compliance and COVID-19-mitigation measures further limited enforcement action. The government penalized violations with a range of fines that were commensurate with those for similar crimes. Penalties were sometimes applied against violators depending on the sector. In the formal sector, workers may remove themselves from situations that endanger health or safety without jeopardy to their employment, and authorities effectively protected employees in this situation.

Informal Sector: Significant numbers of persons worked in the informal sector in the country, mainly in the retail and agriculture sectors. The government did not enforce labor code provisions in the informal economy, for part-time work, or in sectors staffed predominantly by undocumented foreign workers, such as in mining, timber, and domestic work. Employers forced foreign workers to work under substandard conditions, dismissed them without notice or recourse, and often physically mistreated them. Employers frequently paid noncitizens less than they paid citizens for the same work and required them to work longer hours, often hiring them on a short-term, casual basis to avoid paying taxes, social security contributions, and other benefits. No official entity provides social protection programs for informal economy workers.